

ORDINANCE No. 117990

COUNCIL BILL No. 111092

AN ORDINANCE vacating a portion of 5th Avenue Northwest on the petition of Seattle School District (Clerk File No. 297182).

mc
Law Department

INDEXED

The City of Seattle--Legis

REPORT OF COM

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____
report that we have considered the same and respectfully rec

COMPTROLLER FILE No. _____

Introduced: JAN 16 1996	By: MANNING
Referred: JAN 16 1996	To: Full Council
Referred:	To:
Referred:	To:
Reported: JAN 22 1996	Second Reading: JAN 22 1996
Third Reading:	Signed: JAN 22 1996
Presented to Mayor: JAN 22 1996	Approved:
Returned to City Clerk: JAN 29 1996	Published: Full
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:



Committee Ch

ORDINANCE 117990

AN ORDINANCE vacating a portion of 5th Avenue Northwest on the petition of Seattle School District (Clerk File No. 297162).

WHEREAS, there has been filed with the City Council the petition of Seattle School District (Clerk File No. 297162), for the vacation of a portion of 5th Avenue Northwest as therein fully described; and

WHEREAS, following a public hearing on said petition, which commenced on November 9, 1989, said petition was granted by the City Council; and

WHEREAS, pursuant to Section 35.79.030 and Seattle Municipal Code Chapter 15.62, the petitioner has paid to the City \$103,000.00, which amount is one-half the appraised value of the property approved for vacation according to an appraisal obtained by the Director of Engineering; and Now, Therefore;

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

5th Avenue Northwest from the north margin of Northwest 56th Street to the south margin of Northwest 58th Street

be and the same is hereby vacated; RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above-described property in the reasonable original grading of any rights-of-way abutting upon said property after said vacation.

Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 22 day of January, 1996,
and signed by me in open session in authentication of its passage this 22 day of

January, 1996.

Paul Drago
President of the City Council.

Approved by me this 29 day of January, 1996.

Norman Byrne
Mayor.

Filed by me this 29 day of January, 1996.

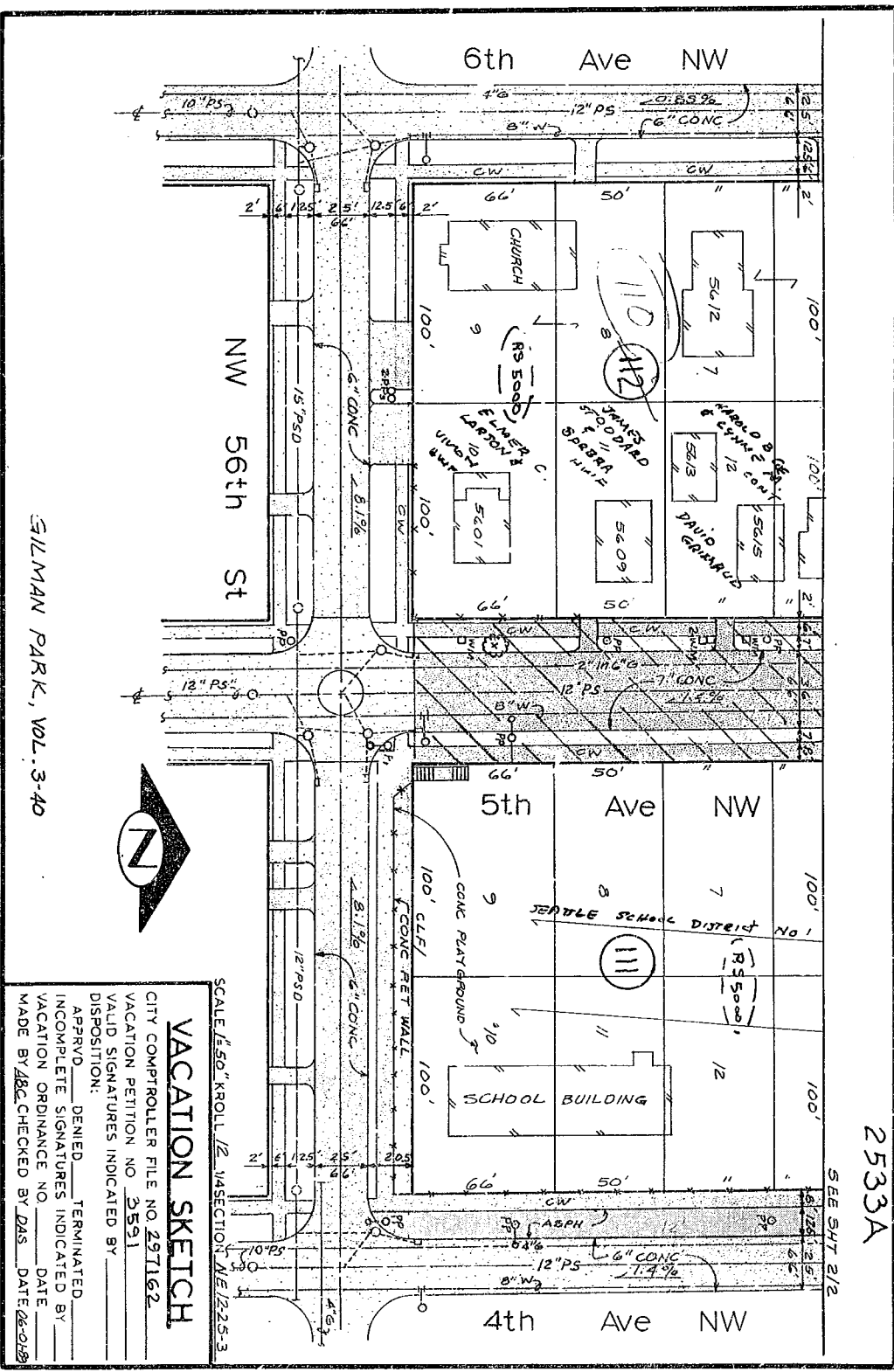
Margaret Carter
Clerk.

(SEAL)

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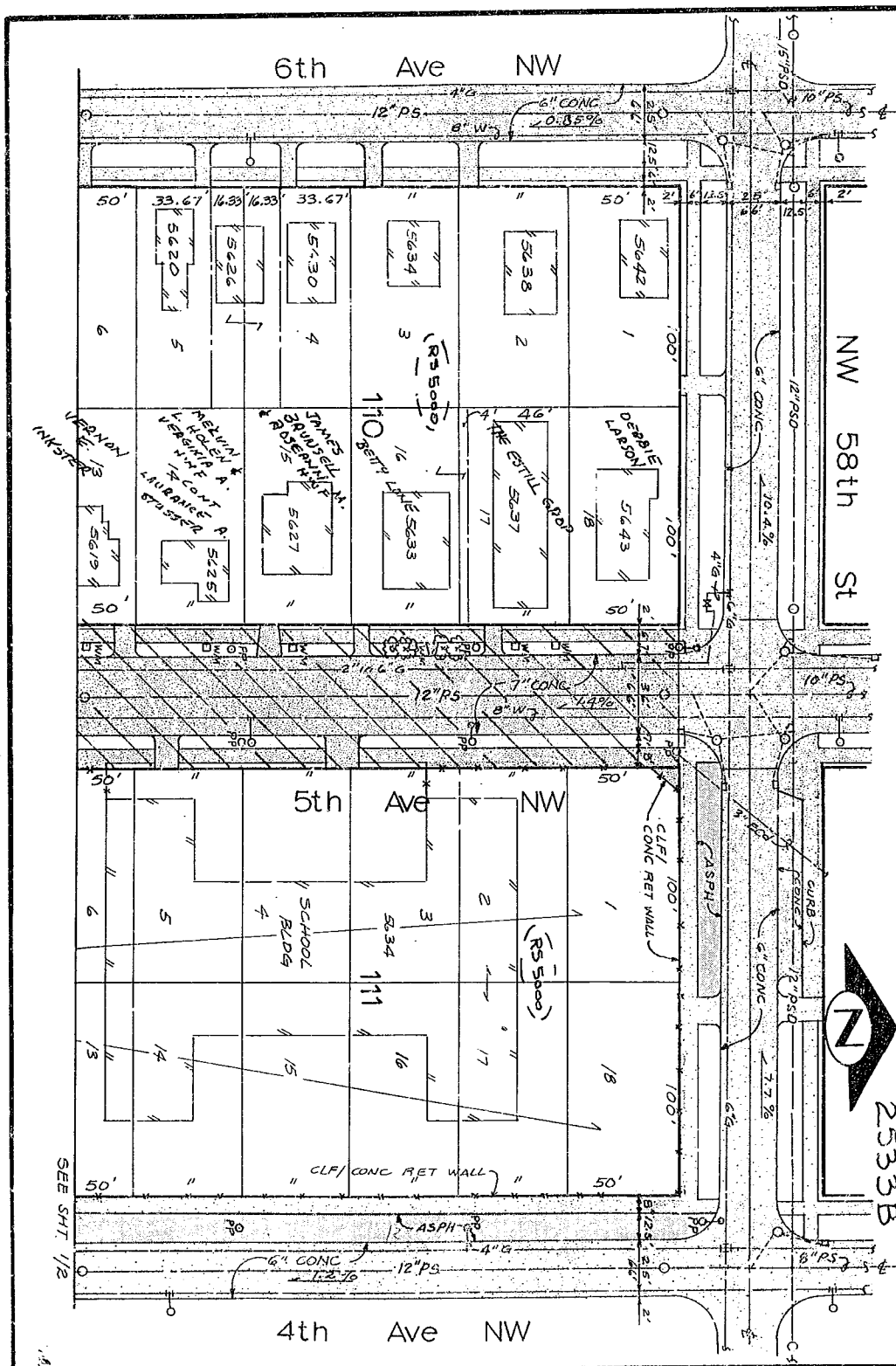
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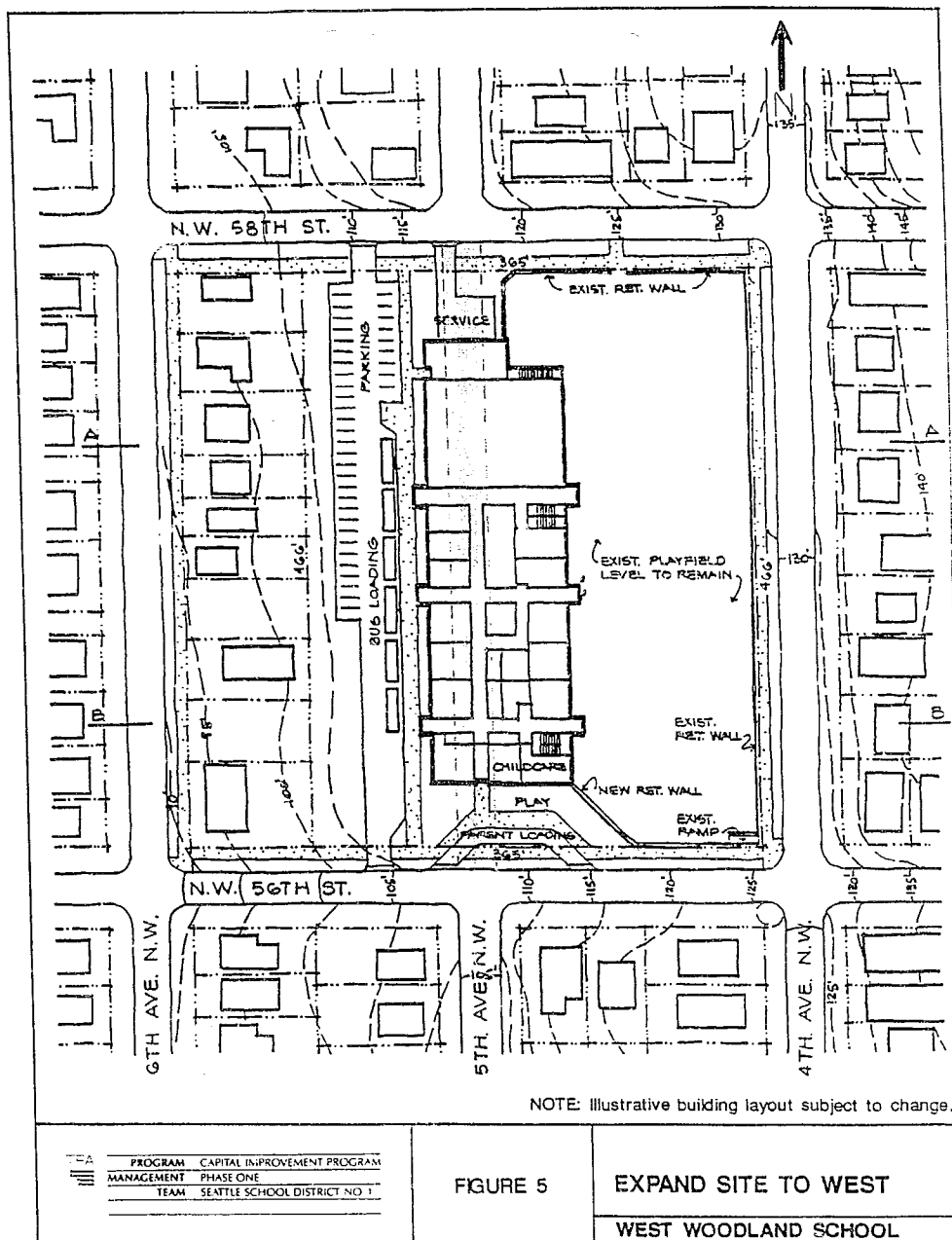


VACATION SKETCH
CITY COMPTROLLER FILE NO. 297162
VACATION PETITION NO. 3531
VALID SIGNATURES INDICATED BY _____
DISPOSITION: _____
APPROVED _____ DENIED _____ TERMINATED _____
INCOMPLETE SIGNATURES INDICATED BY _____
VACATION ORDINANCE NO. _____ DATE _____
MADE BY ABC CHECKED BY DAS DATE 06-01-83

2533B



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ORDINANCE 117990

AN ORDINANCE vacating a portion of 5th Avenue Northwest on the petition of Seattle School District (Clerk File No. 297162).

WHEREAS, there has been filed with the City Council the petition of Seattle School District (Clerk File No. 297162), for the vacation of a portion of 5th Avenue Northwest as therein fully described; and

WHEREAS, following a public hearing on said petition, which commenced on November 9, 1989, said petition was granted by the City Council; and

WHEREAS, pursuant to Section 35.79.030 and Seattle Municipal Code Chapter 15.62, the petitioner has paid to the City \$103,000.00, which amount is one-half the appraised value of the property approved for vacation according to an appraisal obtained by the Director of Engineering; and Now, Therefore;

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

5th Avenue Northwest from the north margin of Northwest 56th Street to the south margin of Northwest 58th Street

be and the same is hereby vacated; RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above-described property in the reasonable original grading of any rights-of-way adjoining upon said property after said vacation.

Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 22 day of January, 1996,
and signed by me in open session in authentication of its passage this 22 day of

January, 1996.

Paul D. Craig
President of the City Council.

Approved by me this 29 day of January, 1996.

Norman B. Price
Mayor.

FILED IN THE CITY OF SEATTLE, WASHINGTON, JANUARY 29, 1996.

Filed by me this 29 day of January, 1996.

Margaret Carter
Clerk.

(SEAL)

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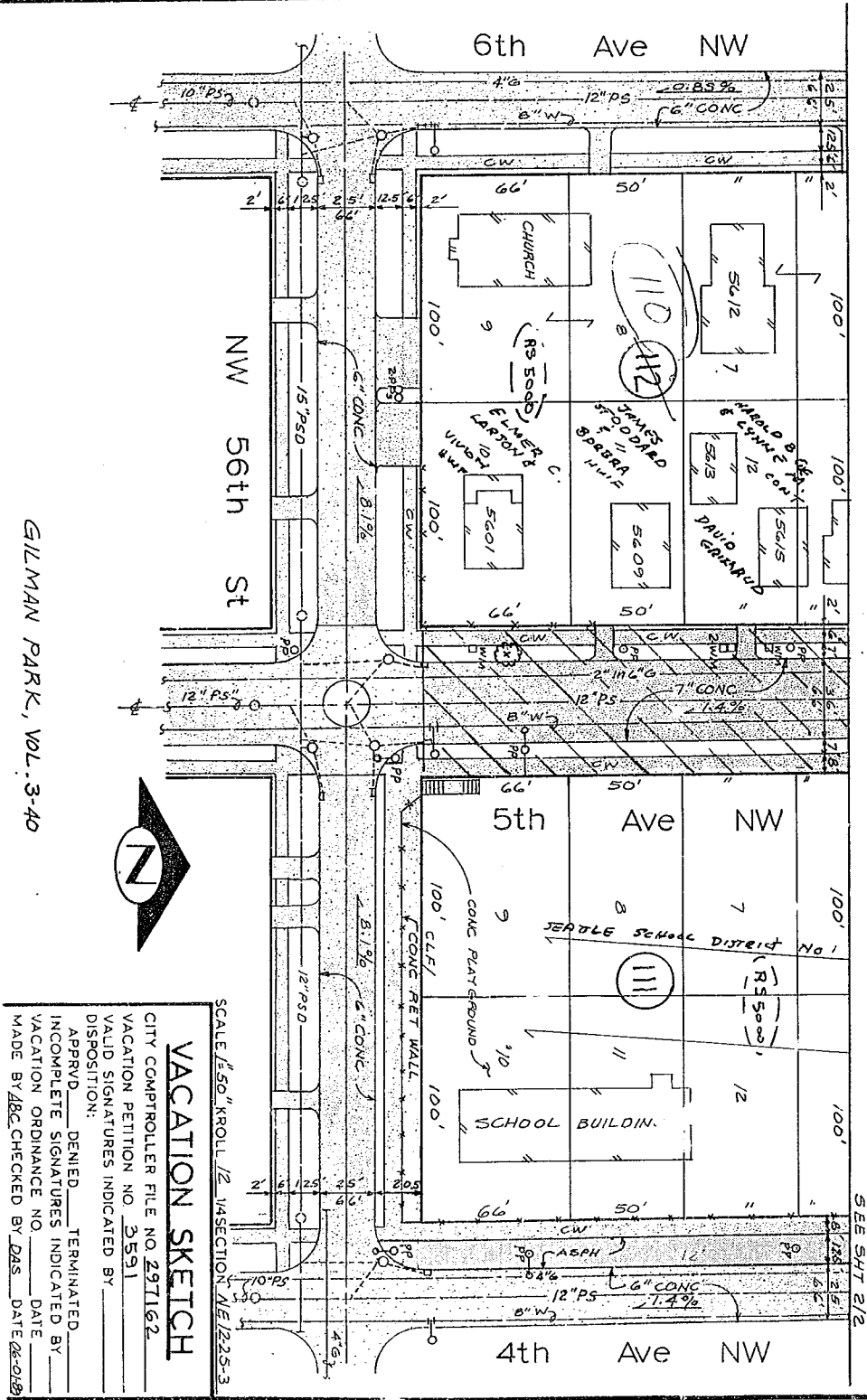
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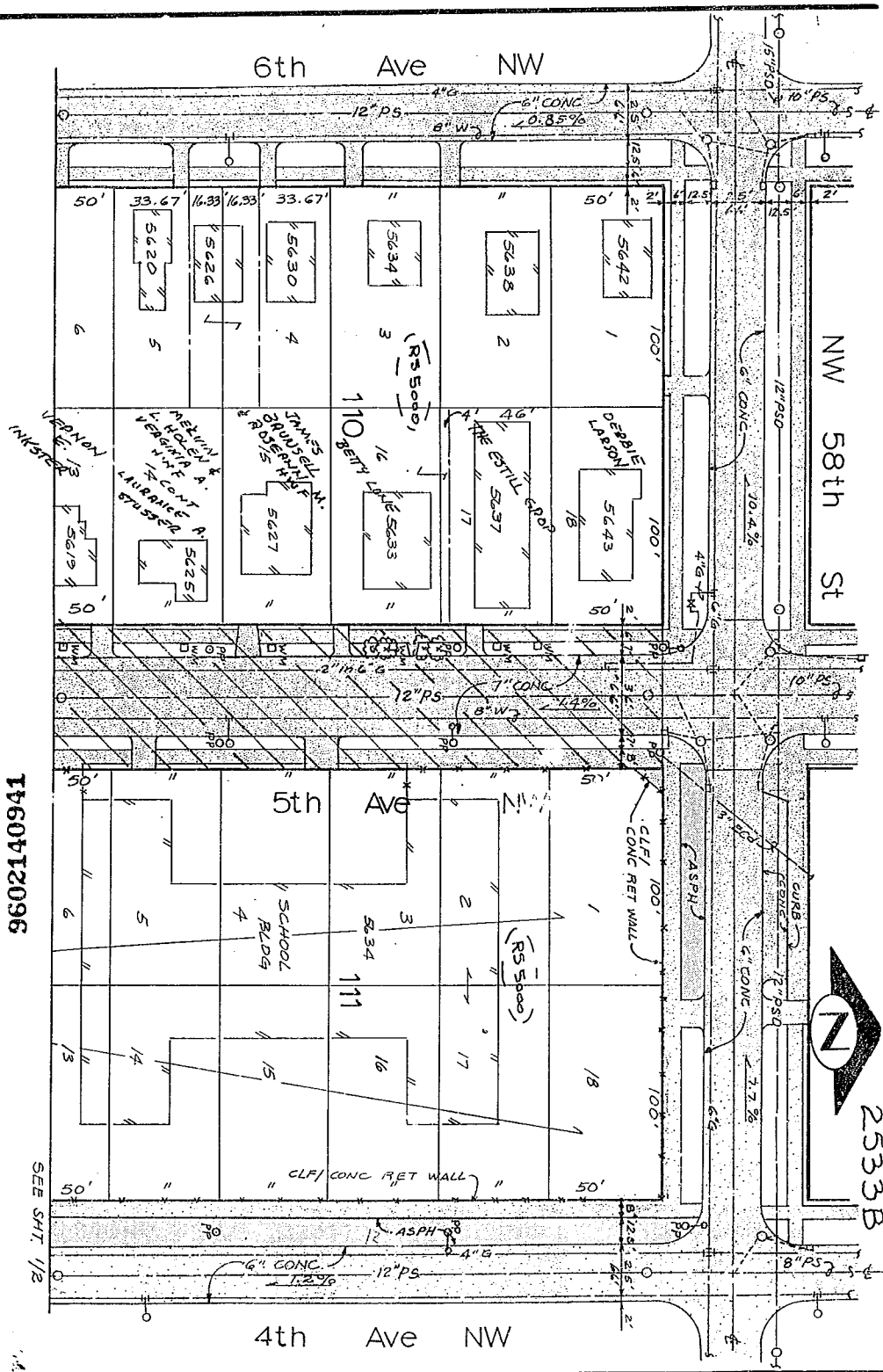
GILMAN PARK, VOL. 3-40



VACATION SKETCH

SCALE 1/50" KROLL 1/2" VASECTION NE 1225-3
 CITY COMPTROLLER FILE NO. 297162
 VACATION PETITION NO. 3591
 VALID SIGNATURES INDICATED BY _____
 DISPOSITION: _____
 APPROVED _____ TERMINATED _____
 INCOMPLETE SIGNATURES INDICATED BY _____
 VACATION ORDINANCE NO. _____ DATE _____
 MADE BY ABC CHECKED BY DAS DATE 06-01-89

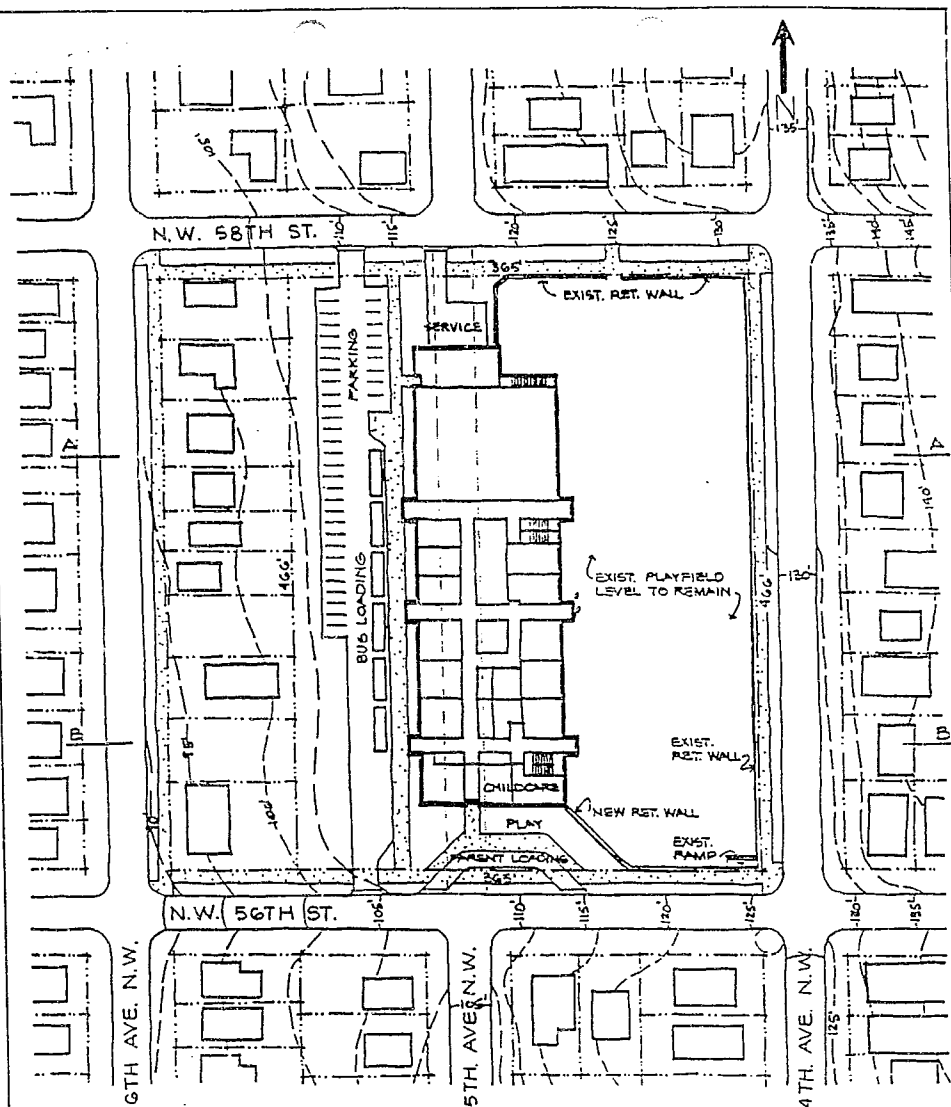
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SEE SHIT 1/2

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NOTE: Illustrative building layout subject to change.

PROGRAM CAPITAL IMPROVEMENT PROGRAM
MANAGEMENT PHASE ONE
TEAM SEATTLE SCHOOL DISTRICT NO. 1

FIGURE 5

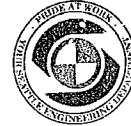
EXPAND SITE TO WEST

WEST WOODLAND SCHOOL

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Seattle
Engineering Department

John D. Okamoto, Director
Norman B. Rice, Mayor



December 21, 1995

Honorable Norman B. Rice
Mayor, City of Seattle
Seattle, Washington 98104

ATTENTION: Tom Tierney, Director
Office of Management and Planning

SUBJECT: Vacation of a Portion of 5th Avenue Northwest
Clerk File No. 297162

Honorable Mayor Rice:

I am pleased to forward the Council Bill to vacate a portion of 5th Avenue Northwest from Northwest 56th Street to Northwest 58th Street (Clerk File No. 294162). The petition was filed by Seattle School District to expand the site for construction of the new West Woodland School.

Background

West Woodland School and its grounds occupy the block bounded by 5th Avenue Northwest, Northwest 56th Street, 4th Avenue Northwest and Northwest 58th Avenue. The school, separated into 3 sections built in 1910, 1913, and 1925, had approximately 54,000 square feet. The layout did not meet current educational requirements, the structure had serious safety needs and the lateral structural system of all three sections was rated poor.

The School District demolished the original structure and constructed a new two-story school of approximately 50,800 square feet which accommodates 500 children in kindergarten through 5th grade, and 50 children in day care. The new structure has 23 classrooms, a gymnasium, learning resource center, and cafeteria. Parking for 40 cars, a parent drop-off zone, and bus loading zone also are provided.

The School District expanded the site west to include the 5th Avenue right-of-way and acquired 9 lots between Northwest 56th Street and Northwest 58th Street which abutted 5th Avenue Northwest. This required demolition of 22 housing units and increased total site size from 2.07 acres to 3.81 acres and included a play area of 1.58 acres. The new school opened its doors in 1991.

Following a public hearing held on November 9, 1989, the City Council granted the vacation subject to certain conditions. All conditions have been satisfied, easements were conveyed to

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Seattle Engineering Department, Room 400, Seattle Municipal Building, 600 Fourth Avenue, Seattle, Washington 98104-1879 (206) 684-5000 VTDD (206) 233-1088

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Honorable Mayor Rice
December 21, 1995
Page 2

Washington Natural Gas, U. S. West Communications, Water Department and Engineering Department. In addition, the Engineering Department reviewed and approved plans which modified the intersections at each end of the vacated 5th Avenue Northwest to Engineering Department standards.

The Seattle School District researched the possibility of exchanging property or services of equal value for the street vacation fee in lieu of making a cash payment, but the School District was not able to identify surplus property suitable to the City and recently we received payment of the vacation fee, thus completing the final step in the vacation process.

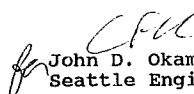
Recommendation

The petitioner has satisfied all the conditions of the street vacation which include the following:

- Grant easements to Washington Natural Gas, U.S. West Communications, Seattle Water Department, and Drainage and Wastewater Utility,
- Modify the ends of the vacated right-of-way so that it no longer appears to be a public right-of-way,
- Pay a fee of \$103,000.00, which is one-half the appraised value of the property according to an appraisal obtained by the Director of Engineering.

I recommend approval of this Council Bill.

Sincerely,


John D. Okamoto, Director
Seattle Engineering Department

JDO/MLS:mls

cc: Joe Jainga, Washington Natural Gas Company
Christine Price, U.S. West Communications
Susan Solberg, Metro
Lionel Sun, Water Department
James Young, Seattle Steam Company


Enclosure

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TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:



FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

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City of Seattle

Executive Department—Office of Management and Planning

Thomas M. Tierney, Director
Norman B. Rice, Mayor



December 21, 1995

The Honorable Mark Sidran
City Attorney
City of Seattle

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT: Engineering

SUBJECT: AN ORDINANCE vacating a portion of 5th Avenue Northwest on
the petition of Seattle School District (Clerk File No. 297162).

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMP. Any specific questions regarding the legislation can be directed to Kwan Wong at 4-8083.

Sincerely,

Norman B. Rice
Mayor

by

Tom Tierney

Enclosure

legis:wong16

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STATE OF WASHINGTON - KING COUNTY

64239
City of Seattle, City Clerk

—SS.

No. ORD IN FULL

City of Seattle

ORDINANCE 117990

AN ORDINANCE vacating a portion of 5th Avenue Northwest on the petition of Seattle School District (Clerk File No. 297162).

WHEREAS, there has been filed with the City Council the petition of Seattle School District (Clerk File No. 297162), for the vacation of a portion of 5th Avenue Northwest as therein fully described; and

WHEREAS, following a public hearing on said petition, which commenced on November 9, 1939, said petition was granted by the City Council; and

WHEREAS, pursuant to Section 35.79.030 and Seattle Municipal Code Chapter 35.62, the petitioner has paid to the City \$102,000.00, which amount is one-half the appraised value of the property approved for vacation according to an appraisal obtained by the Director of Engineering; and Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

5th Avenue Northwest from the north margin of Northwest 56th Street to the south margin of Northwest 18th Street

be and the same is hereby vacated; RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above-described property in the reasonable original grading of any rights-of-way abutting upon said property after said vacation.

Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.025.

Passed by the City Council the 22nd day of January, 1939, and signed by me in open session in authentication of the same on this 22nd day of January, 1939.

JAN DRAGO,

President of the City Council.

Approved by me this 28th day of January, 1939.

NORMAN B. RICE, Mayor.

Filed by me this 29th day of January, 1939.

(Seal) MARGARET CARTER,

Clerk.

Publication ordered by JUDITH PIP-PIN, City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, February 7, 1939.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:117990

was published on

02/07/96

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

Subscribed and sworn to before me on

02/07/96

Notary Public for the State of Washington,
residing in Seattle

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Affidavit of Publication